Jesse Pitts to John C. Mundine 10

This Indenture made this Twenty third day of April A. D. 1838 between Jesse Pitts the Debtor of the first part John M. McClanahan the Trustee of the second part and John C. Mundine the creditor of the third part all of Shelby County Alabama Witnesseth that whereas the said Jesse Pitts is justly indebted to the said John C. Mundine in the sum of one hundred and eighty seven 50/100 Dollars secured by promissory note bearing the date hereof to be due the 25 December 1838 - which debt the said Jesse Pitts is anxious and desirous to secure now the said Jesse Pitts for and in consideration of the sum of One Dollar to him in hand paid by the said John M. McClanahan the Trustee the receipt whereof is hereby acknowledged has given granted bargained and sold and by these Presents does give grant bargain sell and convey to the said John M. McClanahan the following tract of Land to wit The West half north East quarter Section no. Twelve Township no. Twenty one Range One East also South East fourth South West fourth same

Section Township and Range as above lying situate and being in said County of Shelby - To have & to hold upon trust nevertheless that if default be made in the payment of the said sum of one hundred eighty seven & 00/100 Dollars due as aforesaid either in whole or in part and then upon trust that the said Trustee shall and will as soon after the happening of such default as the said Mundine his heirs executors Adm^rs or assigns &c shall request sell the said land to the highest bidder for ready money at public auction in the Town of Columbiana after having fixed the time of said sale and given thirty days notice of by advertisement at Harperville Wilsonville & Columbiana and after paying all the charges pay to the said John C. Mundine ~~Cottingham~~ the said sum of one hundred and eighty seven & 00/100 Dollars & interest and the balance if any pay to the said Jesse Pitts and if the whole of said debt be paid then this obligation to be void else to remain in full force and effect - In testimony whereof we have hereunto set our hands and seals the day and year first above written -

Signed sealed and delivered in presence of Asbran C. Coleman, Isaac McCammon — Jesse Pitts (Seal), John M. McClanahan (Seal), John C. Mundine (Seal)

The State of Alabama
Shelby County

Before me A. B. Davis an Acting Justice of the Peace in and for said County personally came Jesse Pitts John M. McClanahan and John C. Mundine and severally acknowledged that they sealed signed and delivered the foregoing Deed of Trust on the day therein named for the use and purposes therein contained Witness my hand and seal 23rd April 1838 -

A. B. Davis (Seal)
Justice of the Peace

Filed for record 25th day of April A.D. 1838 and recorded same day -

~~Test~~ A. B. Davis Clk.